In the High Court of Punjab and Haryana at Chandigarh

C.R. 5976 of 2005
Date of decision: 5-09-2006

Mairjudin .....Petitioner

Versus

Tarlochan Singh .....Respondent

CORAM: Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr. N.D.Achint, Advocate, for the petitioner.
Mr. Kanwaljit Singh, Advocate, for the respondent.

VINOD K.SHARMA,J. (ORAL)

The present revision petition has been filed against the order dated 27-08-2005 passed by the learned Additional District Judge, Chandigarh, vide which the application moved by the petitioner under Order 39 Rules 1 & 2 of the Code of Civil Procedure restraining the respondent-landlord from demolishing the unauthorised construction in pursuance to the order passed by the Chandigarh Administration, has been declined.

The only apprehension of the petitioner is that in the garb of demolition of unauthorised construction he may not be dispossessed from the disputed property and his tenancy right should not be affected.

Learned counsel for the respondent states that the respondent would only carry out the demolition which has been ordered by the Chandigarh Administration so as to save himself the resumption of the plot in dispute and he will take appropriate steps to seek eviction of the petitioner from the property in dispute if need be.

In view of the above statement of the learned counsel for the respondent, learned counsel for the petitioner does not want to press this revision petition and the same is dismissed as not pressed.

05-9-2006 **(VINOD K.SHARMA)**
'dls' **JUDGE**